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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): RASCHE et al.

Serial No.: 09/829,007

Filed: April 10, 2001

Title: METHOD AND APPARATUS FOR
EDUCATING ASTHMA SUFFERERS
AND CAREGIVERS

Attorney Docket No.: EAMC00-09 01

Assistant Commissioner for Patents
Washington, D.C. 20231

Group Art Unit: 3713

Examiner: Not Yet Assigned

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TECHNOLOGY CENTER R3700

SECOND INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

X under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of
international application; or before mailing date of first office action on the
merits; whichever occurs last)

X under 37 CFR 1.97(c) together with either a:
X Certification under 37 CFR 1.97(e), or
a \$210.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of
allowance, whichever occurs first)

under 37 CFR 1.97(d) together with a:
Certification under 37 CFR 1.97(e), and
a petition under 37 CFR 1.97(d)(2)(ii), and
a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
(Filed after final action or notice of allowance, whichever occurs first,
but before payment of the issue fee)

Certification under 37 CFR 1.97 (e)

No item of information contained in the Information Disclosure Statement was
cited in a communication from a foreign patent office in a counterpart foreign
application, and to the knowledge of the undersigned, after making reasonable inquiry,

was known to an individual designated in 37 CFR 1.56 (e) more than three months prior to filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704 (d)

Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Applicants submit herewith Form PTO 1449-Information Disclosure Citation with copies, of patents, publications or other information of which Applicants have become recently aware of, which Applicants believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

Also attached is a copy of the International Search Report for a corresponding PCT application that cites the Denhert article as a document of particular relevance and the claimed invention cannot be considered novel in connection to claims 1, 6, 7, 9, 10, 12, 14-25, 27, 28, 26, and 37 of the PCT application. Page 288 of the Denhert article is cited as defining the general state of the art.

Neither this statement nor the listing of these documents on the accompanying form PTO-1449 should be considered as an admission by Applicants that these materials are prior art as to Applicants. In addition, this statement should not be construed as a representation that no better disclosures exist.

Entry of the Information Disclosure Statement and the accompanying Form PTO-1449 are respectfully solicited.

Respectfully submitted,



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